

Applicant: Nelson et al.
Application No.: 09/778,474

REMARKS/ARGUMENTS

Claims 1-5, 7, 8, 10-19, 25-27 and 29 are currently pending in this application.

Allowable Subject Matter

The Examiner is thanked for indicating that claims 1-5, 7, 8 and 10-19 contain allowable subject matter.

Claim Rejections - 35 U.S.C. §102

Claims 25-27 and 29 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jalali et al (US 5,828,662), hereafter "Jalali".

The Applicants respectfully submit that the rejection of claims 26, 27, and 29 is improper. In rejecting claims 26 and 27 the Examiner cites features not contained in those claims. They appear to be contained in claim 17. Similarly, in rejecting claim 29, the Examiner quotes features not contained in claim 29. They appear to be contained in claim 18.

The Applicants respectfully submit that claim 25 is not anticipated by Jalali for the reasons set forth below.

Claim 25 recites a feature not contained in Jalali, namely:

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A method . . . comprising . . . assigning a set of codes for use by a field unit, each code corresponding to a message that is transmitted in a time slot on the second channel, a code being transmitted by the field unit on the second channel to provide an indication to the base station (emphasis added). This claim is supported in the specification at least on page 18, lines 10-18, which discloses that each code, for example, corresponds to a particular command or request.

By contrast, Jalali discloses no such feature. An "SSR channel PN code", disclosed in Jalali col. 6, lines 28 – 53, is used only for synchronization. See, in particular, col. 6, lines 40 – 42 and 47 – 50.

Therefore claim 25 is not anticipated by Jalali.

Claims 26, 27, and 29 are dependent from claim 25 and are therefore not anticipated by Jalali for at least the same reasons presented above concerning claim 25. Also, as previously stated, the Applicants respectfully submit that the rejection of claims 26, 27, and 29 is improper.

Furthermore, claim 26 recites ". . . the set of codes is unique to each field unit." Jalali, by contrast, contains a contrary teaching at col. 6, lines 32 – 35: "Because the same PN code is used on the SSR channel by all the mobile terminals in the same sector, . . ." (emphases added).

Based on the arguments presented above, withdrawal of the rejection of claims 25 -27 and 29 is respectfully requested.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 25-27 and 29, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Nelson et al.

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